

REMARKS

The foregoing requested correction to the above-referenced patent, U.S. Patent No. 4,933,456 (hereinafter "the '456 patent") is of a clerical nature, was not the fault of the Patent Office, and occurred in good faith without deceptive intent on behalf of the patentees. Accordingly, correction is believed to be necessary and appropriate under 37 CFR § 1.323 for the following reasons.

Claim 1 of the '456 patent was added as Claim 55 of the '614 application in a December 11, 1989, Amendment after Final Rejection. The structure presented in that amendment incorrectly depicted formula 1 of the present invention as containing a -CH in the position meta to the nitrogen atom in the left-hand pyridine ring. As properly illustrated on page 6 of the specification, formula 1 at contains an -OH in the same position. A simple clerical error was made in transposing the structure from the specification to the amendment. The present structure is unsupported by the specification and is chemically incorrect inasmuch as it completely ignores the proper valence of carbon.

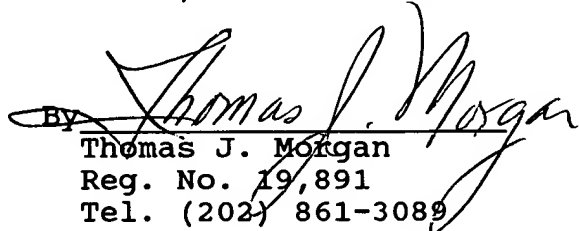
The patentees did not discover the erroneously drawn structure until recently. The correction patentees presently

ROCKLAGE, et al -- U.S. Patent No. 4,933,456

solicit is fully supported by the specification, adds no new matter to the issued patent, and does not require reexamination. The incorrect structure was included in the application through inadvertence and without deceptive intent.

For the foregoing reasons, patentees respectfully request that a Certificate of Correction be issued for this patent. A completed Certificate of Correction (Form PTO-1050) is submitted herewith for approval by the Patent and Trademark Office, accompanied with the post-allowance fee of \$100.00. Should this fee be insufficient or excessive please charge or credit our Account No. 03-3975, Order No. 7344/84136, for which purpose this sheet is filed in duplicate.

Respectfully submitted,
CUSHMAN, DARBY & CUSHMAN

By 
Thomas J. Morgan
Reg. No. 19,891
Tel. (202) 861-3089

Enclosure - PTO-1050

TJM/MRD:slb

Ninth Floor, East Tower
1100 New York Avenue, N.W.
Washington, D.C. 20005-3918
Tel: (202) 861-3000

Staple
Here
Only!

PRINTER'S TRIM LINE

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO. : 4,933,456

DATED : June 12, 1990

INVENTOR(S) : Scott M. ROCKLAGE and Steven C. QUAY

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

It is certified that error appears in the above-identified patent and that said letters patent is hereby corrected as shown below.

Col. 25, lines 46-47 (Claim 1): delete "CH"
appended to the left-handed pyridine ring, in
the position meta to the pyridyl nitrogen, and
replace with --OH--.

MAILING ADDRESS OF SENDER:

CUSHMAN, DARBY & CUSHMAN
Ninth Floor, East Tower
1100 New York Avenue, N.W.
Washington, D.C. 20005-3918

PATENT NO. 4,933,456

No. of add'l. copies
@ 30¢ per page

